

REMARKS

Claims 1 – 4, 9 – 14, 16 – 19 and 21 – 32 are pending in the present application. Claims 5 – 8, 15 and 20 are canceled by the present amendment, and claims 21 – 32 are newly added.

Applicant notes with appreciation that on page 4 of the Office Action, the Examiner indicates that claims 2, 10 and 17 would be allowable if rewritten in independent form. However, Applicant believes that all of the claims are presently in condition for allowance, and therefore, claims 2, 10 and 17 do not appear to need to be rewritten.

On 9 APR 2004, Applicant submitted an Information Disclosure Statement with a PTO-1449 that listed several references. Applicant has not yet received a copy of the PTO-1449 indicating that the Office considered the references listed thereon. Applicant respectfully requests that with the next office communication, the Examiner includes a copy of the PTO-1449 indicating that the Office considered the references.

Applicant amended FIG. 3 to designate it as "Prior Art" and to designate item 65 as "sorting process" rather than "sorting processor". FIGS. 2 and 5 are amended to designate item 225 as "sorting process" rather than "sorting processor".

Applicant amended the specification to correct reference numbers, to provide consistent terms for reference numbers, and to improve grammar.

On page 2 of the Office Action, claims 1, 3 – 9, 11 – 16 and 18 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,029,195 to Herz (hereinafter "the Herz patent"). Of this set of claims, three are independent, namely claims 1, 9 and 16. Applicant amended claims 1, 9 and 16 to more clearly recite the features of the present invention.

Claim 1 provides for a system that includes, *inter alia*, a module that embeds a value for an attribute into a key to data. The system also includes a module that creates an index of said data and associates said data with said key.

Applicant has not found any disclosure in the Herz patent of embedding a value for an attribute into a key to data. Accordingly, Applicant submits that the Herz patent does not disclose a module that embeds a value for an attribute into a key to data, as recited in claim 1. Therefore, Applicant also submits that the Herz patent does not anticipate claim 1.

Independent claims 9 and 16 each include a recital similar to that of claim 1, as described above. Thus, for reasoning similar to that provided in support of claim 1, Applicant submits that the Herz patent does not anticipate either of claims 9 or 16.

Claims 3 and 4 depend from claim 1, claims 11 – 14 depend from claim 9, and claims 18 and 19 depend from claim 16. By virtue of these dependencies, claims 3, 4, 11 – 14, 18 and 19 are also novel over the Herz patent.

Claims 5 – 8, 15 and 20 are canceled. As such, the rejection is moot with respect to claims 5 – 8, 15 and 20.

Applicant respectfully requests reconsideration and withdrawal of the section 102(b) rejection of claims 1, 3 – 9, 11 – 16 and 18 – 20.

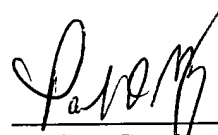
As mentioned above, Applicant amended independent claims 1, 9 and 16 to more clearly recite the features of the present invention. Applicant amended the dependent claims for consistency with the independent claims. None of the amendments is intended to narrow the scope of any term of any claim. Therefore, the doctrine of equivalents should be available for all of the terms of all of the claims.

Applicant added claims 21 - 32 to even further provide the claim coverage that Applicant appears to deserve based on the prior art that was cited by the Examiner. A favorable consideration that also results in the allowance of claims 21 - 32 is earnestly solicited.

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,

9-29-04
Date


Paul D. Greeley, Esq.
Reg. No. 31, 019
Attorney for the Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: 203-327-4500
Fax: 203-327-6401

IN THE DRAWINGS

Please replace FIGS. 1, 2 and 5 with the amended versions included herewith.